

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF ALABAMA
OFFICE OF THE CLERK
POST OFFICE BOX 711
MONTGOMERY, ALABAMA 36101-0711

DEBRA P. HACKETT, CLERK

TELEPHONE (334) 954-3600

March 13, 2007

NOTICE OF CORRECTION

From: Clerk's Office

Case Style: United States of America v. Tom J. Bomberger, Jr.

Case Number: #3:07-cv-00032-MHT

Referenced Document: Document #7
Bill of Costs

This notice has been docketed to enter the corrected pdf of the referenced document into the record. The original pdf contained a conversion error that would not allow page 2 to be seen. The corrected pdf is attached to this notice.

United States District Court

DISTRICT OF _____

BILL OF COSTS

V.

Case Number: _____

Judgment having been entered in the above entitled action on _____ against _____ ,
Date
 the Clerk is requested to tax the following as costs:

Fees of the Clerk \$ _____
 Fees for service of summons and subpoena _____
 Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case _____
 Fees and disbursements for printing _____
 Fees for witnesses (itemize on reverse side) _____
 Fees for exemplification and copies of papers necessarily obtained for use in the case _____
 Docket fees under 28 U.S.C. 1923 _____
 Costs as shown on Mandate of Court of Appeals _____
 Compensation of court-appointed experts _____
 Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 _____
 Other costs (please itemize) _____
 TOTAL \$ _____

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to:

Signature of Attorney: _____

Name of
 Attorney: _____

For: _____ Date: _____

Name of Claiming Party

Costs are taxed in the amount of _____ and included in the judgement.

By: _____
Clerk of Court *Deputy Clerk* *Date*

WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)							
NAME AND RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Days	Total Cost	
					TOTAL		

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

"Except where express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6 (e)

"Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."